MING TELEGRAM Department of State

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FM AMEMBASSY SAIGON
TO RUEHC/SECSTATE WASHDC PRIORITY
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C O N F I D E N T I A L SAIGON 28298

CINCPAC FOR POLAD

SUBJ: NATIONAL ASSEMBLY: PROMULGATION OF ELECTION LAWS

REF: SAIGON 28129 — Pol 14 Viets

1. DIRECTORATE CHAIRMAN GENERAL THIEU PROMULGATED PRESIDENTIAL AND UPPER HOUSE ELECTION LAWS EVENING JUNE 15 AFTER LENGTHY DIRECTORATE MEETING. AS EXPECTED PRESIDENTIAL LAW WAS PROMULGATED

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WITHOUT CONTROVERSIAL ARTICLE 10(7). WITH REGARD TO UPPER HOUSE LAW, DIRECTORATE DECIDED TO RETAIN SIZE OF 60 MEMBERS AND HOLD SENATORIAL ELECTIONS SIMULTANEOUSLY WITH PRESIDENTIAL ELECTION. ONE UNEXPECTED CHANGE BY DIRECTORATE PRIOR TO PROMULGATION WAS REVISION OF ARTICLE 30 OF SENATORIAL LAW TO EFFECT THAT VOTERS WILL HAVE RIGHT TO CAST BALLOTS FOR SIX LISTS RATHER THAN TWO AS HAD BEEN VOTED BY THE ASSEMBLY. DIRECTORATE REPORTEDLY USED TWO ARGUMENTS IN SUPPORT OF THIS CHANGE: (1) TO DENY VOTERS THE RIGHT TO VOTE FOR ENTIRE SENATE IS UNCONSTITUTIONAL AND, IN ABSENCE OF A SUPREME COURT, THE DIRECTORATE MUST MAKE THIS RULING LEST AT SOME LATER DATE COURT RULES ENTIRE SENATORIAL ELECTION INVALID; (2) IN DEBATING THE DIRECTORATE'S REQUEST FOR RECONSIDERATION, THE NATIONAL ASSEMBLY HAD ONLY TWO CHOICES, EITHER TO OPT FOR THE ONE LIST SOLUTION AS IT HAD ORIGINALLY VOTED OR TO ACCEPT THE DIRECTORATE'S PROPOSAL THAT VOTERS BE ALLOWED TO

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REVIEWED BY Joan Zambrano DATE 10/7/91
PORTIONS DENIED AS INDICATED

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SELECT SIX LISTS. BY PUTTING FORTH A THIRD AND DIFFERENT SOLUTION, THE ASSEMBLY HAD IN EFFECT NOT OVERRIDEN DIRECTORATE'S POSITION.

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2. NEXT ASSEMBLY SESSION SCHEDULED FOR JUNE 19. ASSEMBLY AGENDA INCLUDES FOLLOWING ITEMS: (1) ELECTION OF SPECIAL COMMITTEE WHICH WILL EXAMINE DOSSIERS OF PRESIDENTIAL CANDIDATES; (2) ELECTION OF AN ASSEMBLY REPRESENTATIVE TO THE CENTRAL ELECTION COMMITTEE; (3) DISCUSSION CONCERNING "THE IMPLEMENTATION OF THE CONSTITUTION". DIRECTORATE'S DECISION TO REVISE ARTICLE 30 OF UPPER HOUSE LAW ALSO LIKELY TO BE DEBATED.
3. ASSEMBLY SECRETARIAT HAS ANNOUNCED THAT STARTING JUNE 17, IT IS PREPARED TO RECEIVE APPLICATIONS OF PRESIDENTIAL CANDIDATES. GP-3 BUNKER
BT

NOTE: ADVANCE COPY TO S/S-O, WHITE HOUSE, DOD, CIA, USIA, NSA, 6/17/67 - 4:00 A.M.

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